

GREGORY G. KATSAS
Acting Assistant Attorney General
R. MICHAEL UNDERHILL
Attorney in Charge, West Coast Office
Torts Branch, Civil Division
CHAD KAUFFMAN
Trial Attorney
Torts Branch, Civil Division
U.S. Department of Justice
7-5395 Federal Bldg., Box 36028
450 Golden Gate Avenue
San Francisco, California 94102-3463
Telephone: (415) 436-6648
mike.underhill@usdoj.gov

RONALD J. TENPAS
Assistant Attorney General
Environment and Natural Resources Division
United States Department of Justice
Washington D.C. 20530
BRADLEY R. O'BRIEN
Environmental Enforcement Section
United States Department of Justice
301 Howard Street, Suite 1050
San Francisco, California 94105
Telephone: (415) 744-6484; Facsimile: (415) 744-6476
brad.o'brien@usdoj.gov

Attorneys for Plaintiff United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Civil No. C-07-6045 SC
	)	(AND RELATED CASES:
Plaintiff,	)	C-07-5800 SC; C-07-5926 SC;
	)	C-08-2052 SC)
v.)	
	)	IN ADMIRALTY
M/V COSCO BUSAN, LR/IMO Ship No.)	
9231743, her engines, apparel, electronics, tackle,	)	(PROPOSED)
boats, appurtenances, <i>etc.</i> , <i>in rem</i> , REGAL STONE	)	ORDER REQUIRING APPEARANCE OF
LIMITED, FLEET MANAGEMENT LTD., and	)	COSCO BUSAN CREW MEMBERS
JOHN COTA, <i>in personam</i>,	)	SHUN BIAO ZHAO, KONG XIANG HU,
	)	LIANG XIAN ZHENG & THEIR
Defendants.	)	COUNSEL AT CASE MANAGEMENT
	)	CONFERENCE ON MAY 9, 2008, 10:00
	)	<u>A.M., COURTROOM 1, 17TH FLOOR</u>

1 WHEREFORE, a discovery dispute presently existing regarding the taking of depositions in
2 this matter, and counsel having been unsuccessful in their good faith attempts to resolve the matter
3 without the assistance of the Court,

4 IT IS ORDERED that COSCO BUSAN crewmembers Shun Bia Zhao, Kong Xiang Hu,
5 Liang Xian Zheng (the "Witnesses"), and their counsel, Jonathan Howden, of Thelen Reid Brown
6 Raysman & Steiner LLP, appear before the Court at the Case Management Conference to be held
7 by the Court on Friday, May 9, 2008, at 10:00 a.m., Courtroom 1, 17th Floor, 450 Golden Gate Ave.,
8 San Francisco, California, at which time the Court shall hear any argument of the parties, the said
9 Witnesses, or the said Witness' counsel, as to whether, when, and under what conditions civil
10 depositions of the Witnesses may proceed; it is further

11 ORDERED that if counsel for the Witnesses represents to the Court at the foregoing Case
12 Management Conference and discovery hearing that he has the express authority of his clients
13 whereby his clients agree to be bound by any Orders of the Court concerning the civil depositions,
14 attendance in Court of any of the Witnesses who so agree to be bound shall be excused; and it is
15 further

16 ORDERED that counsel for the United States immediately shall cause this Order to be served
17 by facsimile and by mail on counsel for the parties and counsel for the Witnesses; and it is further

18 ORDERED that upon the receipt of this Order by counsel for the Witnesses, said counsel for
19 the Witnesses immediately shall cause the Order to be provided to his clients.

20 IT IS SO ORDERED.

21
22 Dated: _____.

23
24
25 UNITED STATES DISTRICT JUDGE

1 PRESENTED BY:

2 GREGORY G. KATSAS
Acting Assistant Attorney General

3
4 /s/ R. Michael Underhill
R. MICHAEL UNDERHILL
5 Attorney in Charge, West Coast Office
Torts Branch, Civil Division
6 CHAD KAUFFMAN
Trial Attorney
7 Torts Branch, Civil Division
U.S. Department of Justice

8
9 RONALD J. TENPAS
Assistant Attorney General
Environment and Natural Resources Division
10 United States Department of Justice
BRADLEY R. O'BRIEN
11 Environmental Enforcement Section
United States Department of Justice

12
13 Attorneys for Plaintiff
United States of America
14
15
16
17
18
19
20
21
22
23
24
25
26
27

28 EX PARTE REQUEST FOR ORDER REQUIRING ATTENDANCE IN COURT – C07-6045 SC

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 7, 2008, I served a copy of the foregoing Order Requiring Appearance and Certificate of Service by first-class mail and fax, postage prepaid, to:

John Giffin
Keesal, Young & Logan
4 Embarcadero Ctr # 1500
San Francisco, CA 94111
FAX: 415-981-0136

Audet and Partners LLP (C-07-5800 SC)
William Audet
221 Main St., Ste. 1460
San Francisco, CA 94105
FAX: 415-568-2556

Counsel for Regal Stone, Fleet Management,
and COSCO BUSAN, in rem

Attorneys for Plaintiffs in C-07-5800 SC

Walter G. Coppenrath, Jr.
George Jones
Coppenrath & Associates
400 Oceangate, Suite 400
Long Beach, CA 90802
Telephone: 562-216-2948
FAX: 562-252-1136

Birnberg & Associates (C-07-5926 SC)
Cory Birnberg
703 Market St., Ste. 600
San Francisco, CA 94103-2114
FAX: 415-398-2001

Attorneys for Plaintiffs in C-07-5926 SC

Counsel for John Cota

Brian Getz
Law Office Brian H Getz
44 Montgomery St Ste 3850
San Francisco, CA 94104-4823
FAX: 415-438-2655
Tel: 415-912-5886

Jonathan Howden
Thelen Reid Brown Raysman & Steiner LLP
101 2nd St Ste 1800
San Francisco, CA 94105
FAX: 415-369-8683
TEL: 415-369-7157

Counsel for Hong Zhi Wang

Counsel for Shun Biao Zhao, Kong Xiang Hu,
Liang Xian Zheng, and Zong Bin Li

Kevin Kin-Man Jo & Samuel Harold Ruby
Bullivant Houser Bailey, PC
607 California Street
18th Floor
San Francisco, CA 94108
FAX: 415-352-2701

Doug Schwartz
Schwartz & Cera LLP
44 Montgomery St #3850
San Francisco, CA 94104-4823
FAX: 415-438-2655
TEL: 912-5886

Attorneys for Plaintiff in C-08-2052 SC

Counsel for Mao Cai Sun



BONNIE LI